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TAGS: [PREL](#) [PGOV](#) [KCRS](#) [KJUS](#) [IZ](#)
SUBJECT: PRT TIKRIT: MAJOR CRIMES COURT OPEN FOR BUSINESS

Classified by Steven Buckler, PRT Team Leader, for reasons
1.4 (b) and (d).

11. (U) This is a PRT Tikrit, Salah ad Din cable.

12. (U) Summary. On September 9, the Salah ad Din Province Major Crimes Court (MCC) was opened pursuant to an order signed by the Chief Justice of Iraq. The key question is whether local judges will effectively carry out their duties or if intimidation by the insurgency will make the concept of local judges hearing local terrorism cases unworkable. End summary.

MCC Facility Opens

13. (C) At a cost of USD 180,000, and three 82nd Airborne soldiers wounded in convoys to the complex over the course of its development, the Salah ad Din Province MCC was opened on September 9 pursuant to an order signed by the Chief Justice of Iraq. The MCC is a heavily fortified complex located on FOB Danger in downtown Tikrit. Its creation was necessitated by the insurgency which murdered two judges and kidnapped three in the past 12 months. The old Tikrit City courthouse is in the most congested part of town and is surrounded by tall buildings, making its use for prosecution of terrorism cases problematic. The new MCC is the first courthouse in Salah ad Din Province in which judges will be able to preside over terrorism cases in a secure setting. The MCC is guarded 24 hours a day, 7 days per week by a team of hand-picked U.S.-trained Iraqi security officers.

14. (U) The legal proceedings that have occurred to date at the MCC have been limited to investigative hearings that are the first stage of a criminal prosecution under Iraqi law. PRT understands that the investigative process has been completed in approximately 12 terrorism cases involving some 25 defendants. These cases have now been referred to the trial panel. Under Iraqi law a case may not be scheduled for trial until at least eight days after the investigative process is finished. Therefore, the first case will be heard by the trial panel some time next week.

15. (C) The Salah ad Din MCC is staffed by local judges who have repeatedly stated that they are afraid to preside in terrorism cases out of fear for their safety and that of their families.

16. (C) Comment: PRT is keeping a close watch on the outcome of proceedings at the MCC. PRT remains concerned about the insurgency's ability to influence proceedings at the MCC by threatening the safety of local judges and their families. End comment.

17. (U) For additional reporting from PRT Tikrit, Salah ad

Din, please see our SIPRNET reporting blog:
<http://www.intelink.sgov.gov/wiki/Tikrit>.
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